

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David E. Townsend
Application No. : 09/940,682
Filed : August 27, 2001
For : COMPOSITIONS AND METHODS FOR DETECTING TARGET
MICROORGANISMS IN A SAMPLE

Examiner : Ruth A. Davis
Art Unit : 1651
Docket No. : 150026.464
Date : October 27, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT LATE PRIORITY CLAIM UNDER 37 C.F.R. § 1.78(a)(3)

Commissioner for Patents:

Applicant hereby petitions for acceptance of a late priority claim under 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(3). The entire delay between the date the priority claim was due and the date of this Petition was unintentional. Applicant encloses with this Petition an Amendment to the specification referencing the priority claim.

Applicant also encloses herewith the fee due by way of this Petition. The Director is authorized to charge any additional fees, or credit any overpayment, to our Deposit Account No. 19-1090.

10/29/2004 MAHMEDI 00000052 09940682

01 FC:1454

1370.00 OP

Application No. 09/940,682
Reply to Office Action dated July 27, 2004

If questions remain, the Examiner is invited to contact Applicants' counsel,
William T. Christiansen, by email at BillC@SeedIP.com or by telephone at (206) 622-4900.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



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FEE TRANSMITTAL

for FY 2005

OCT 27 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 1370

Complete If Known

Application Number **09/940,682**
 Filing Date **August 27, 2001**
 First Named Inventor **David E. Townsend**
 Examiner Name **Ruth A. Davis**
 Art Unit **1651**
 Attorney Docket No. **150026.464**

METHOD OF PAYMENT

☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other

☐ Deposit Account:Deposit
Account
Number

19-1090

Deposit
Account
NameSeed Intellectual Property Law Group
PLLC

The Director is authorized to (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any deficiencies

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee(\$)	Fee Code	Fee(\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	** =	*	=
Independent Claims	** =	*	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1530	2254	765	Extension for reply within fourth month	
1255	2080	2255	1040	Extension for reply within fifth month	
1401	300	2401	150	Notice of Appeal	
1402	300	2402	150	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1370	2453	685	Petition to revive - unintentional	
1501	1370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) <u>Petition fee under 37 CFR 1.17(t)</u>					1370

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1370

SUBMITTED BY

Name (Print/Type) William T. Christiansen, Ph.D.

Registration No. 44,614
Attorney/Agent

Signature

Date October 27, 2004

Customer Number

00500

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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